

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.**

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| In the Matter of: |) | |
| |) | |
| Request for Waiver |) | |
| |) | CC Docket No. 02-6 |
| by |) | |
| |) | |
| Celina City School District |) | |
| Celina, OH |) | |

TO: Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Celina City School District ("Celina"), Billed Entity # 130113, respectfully requests the Federal Communications Commission ("FCC" or "Commission") grant it a Waiver of the FY2019 Form 471 filing deadline for FCC Form 471 Application # 191041060. This Request for Waiver is made pursuant to 54.719 through 54.723 of the Commission's rules.¹

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¹ 47 C.F.R. §§ 54.719–54.723

STATEMENT IN SUPPORT OF WAIVER

Although certification process began prior to the close of the FY2019 filing window, due to the exceptional slowness of the EPC Portal in the last minutes, the certification of Form 471 #191041060 was unable to be completed until just after midnight – missing the deadline by only 47 seconds.

Since the application was certified less than one minute after the close of the FY2019 Window, which was well within the 14 day grace period granted by the Commission in recent years, IoW respectfully requests the Commission to grant it a Waiver of the filing deadline and allow Form 471 #191041060 considered for funding as though timely filed within the Window. Celina did its best to comply with all E-rate rules and intends no fraud, abuse or waste of program funds.

The Commission has repeatedly reiterated its authority under 47 C.F.R. §1.3 to waive rules for good cause shown and may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest. See, *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990). Additionally, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis. *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, *supra*.

Under the circumstances, a Waiver from the Commission will best serve the public interest and the interests of the students of the Celina City School District. Its FY2019 Form 471 application for Category 1 Internet Access was timely filed, so a filing

deadline waiver is being requested only for Form 471 #191041060 for dark fiber services.

Thank you for your consideration.

/s/ Linda Schreckinger Sadler, Esq.

On behalf of Educational Funding Group, Inc.
E-rate Consultant to Celina City School District